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17 October 2005

Dear Sirs

BY FACSIMILE (+49 89 2399 4465) AND CONFIRMATION BY MAIL

PCT/GB2004/005281

Our ref: PDF 0311/02 (PCT) – Mutual Contacts Discovery

We refer to the Written Opinion of the ISA issued with the Declaration of Non-Establishment of an International Search Report, and enclose herewith, in triplicate, replacement pages 1 and 3 of the description together with replacement claims pages 10, 11 and 12 to replace the same numbered pages of the original disclosure. A copy of the replacement pages showing all of the amendments as tracked changes is enclosed with the confirmation by mail copy of this letter.

The Written Opinion states that the subject matter of the claims defines an administrative/business method and, therefore, lacks industrial applicability. The Opinion also states that the invention lacks an inventive step under Article 33(3) PCT. The Applicant refutes these views on industrial applicability and inventive step as set out in the Written Opinion.

The Written Opinion states that claims 1 to 23 have been interpreted based on figure 1, which is considered by the Examiner to illustrate only standard hardware components. However, figure 1 does not show hardware components but instead shows a flow chart illustrating how the host and non-host devices behave when operating in accordance with the present invention. The hardware components per se of a computing device according to this invention may be regarded as standard in the sense that they comprise a

central processing unit (CPU), some form of memory, and some form of communication s system for providing the required communications capability. However, the manner in which these hardware components operate in practice under the control of an operating system for the device cannot in any sense be regarded as standard.

This invention enables a computing device having a communications capability and a contacts store storing contacts information to selectively discover the contacts information held in the contacts store of another device having a similar capability. This may be achieved directly between devices or via the network hardware provided by a network operator. Current forms of such computing device are able to store the contacts information of the user but they have no capability whatsoever to selectively discover the equivalent information held in the contacts store of another device, either directly or through the network operator. The user of the known device can, therefore, in certain circumstances, be placed at a disadvantage because of the functional inability of the device of the user to discover the contacts information in another device. Hence, the technical problem to be overcome is to provide the computing device with this 'discovery' capability.

The solution provided by the present invention therefore enables the computing device to operate in a novel way in comparison to known devices by way of an enhanced technical ability which enables the device to request certain data from another device, i.e. the contacts information, to receive contacts information from the other device to an extent as decided by the user of that other device, to compare the contacts information released from the other device with the contacts information already present in the user device, and when matching criteria, as may be selected by the user, are found, to show on the device those contact entries from the other device which are considered to contain the matching criteria.

Furthermore, as described on page 5 of the original disclosure, the contacts comparison may be achieved in a non-obvious way, such as by selective non-name data to effect comparison in the case of common names in order to

minimise or avoid false matches, or by using address fields to identify persons who may be completely unknown to the user but who have a common interest, such as the same employer. By utilising the present invention the device is, therefore, provided with additional functionality in comparison to known devices and operates in a way which is unknown in known devices. Thus, there is a novel technical effect in the device, and hence there is a technical solution to a technical problem (the inability to discover contacts of common interest). The invention does not, therefore reside merely in an administrative/social scheme for establishing mutual contacts in a social network; such a scheme is a benefit which accrues from providing the additional technical functionality in the computing device of the present invention.

The Written Opinion also claims that the task of programming a computerised interface for establishing common social connections or implementing social, administrative or commercial features on a computing system is a normal and obvious aim. However, it is argued that contacts applications are probably the most widely used of applications on computing devices having communications capabilities, and such applications have been known for a number of years. But, to date the devices incorporating these applications do not have the technical ability or functionality to discover contacts on other devices through the use of optional selective criteria. It is submitted, therefore, that the provision of such functionality is not a normal and obvious aim and moreover, is not a routine programming measure which is well within the reach of the skilled person.

Accordingly, it is submitted that the invention does constitute subject matter which has industrial applicability for which a search is required, and moreover, does involve an inventive step in the sense of Article 33(3) PCT.

In order to clarify the technical nature of this invention, the claims of the application have been redrafted and are now directed to a method of operating a computing device, and not to a method of communicating

information between computing devices. Accordingly, a replacement set of claims is filed herewith.

In the light of the above arguments and amendments, re-consideration of the present application is requested. A Demand for Preliminary Examination of this application is being filed concurrently herewith. Should the examiner require further clarification resulting from such Preliminary Examination, a further Written Opinion is requested.

Yours faithfully,



Gino Sorenti

Patent Attorney